

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JAMES KELLY MONROE (AIS# 167435),

Plaintiff,

v.

OFFICER L. THOMAS, et al.

Defendants.

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CIVIL ACTION: 2:06CV-928-MEF

DEFENDANTS' MOTION TO EXTEND TIME TO FILE
SPECIAL REPORT AND ANSWER

COME NOW Defendants, Prison Health Services, Inc., Paul Corbier, M.D., Eugene Lysykanycz, L.P.N., and Cheryl Webb, and respectfully requests that this Honorable Court extend the time period which this Defendant has to file its Answer and Special Report in this action by thirty (30) days, up to and including January 15, 2007. As grounds for this Motion, Defendant shows to the Court as follows:

1. Due to scheduling conflicts with the Defendant's medical practices and current Counsel's schedule, Counsel has been unable to meet with the Defendants in order to defend their interest in this matter.

2. The Defendant has also not received records to viably determine the validity of the Plaintiff's claims.

3. The Defendant will continue to use all efforts to timely file a Special Report by the date designated in this Court's Order, which is tentatively December 15, 2006. However, a brief extension of time will in no way prejudice any party nor will it unduly delay the adjudication of this matter.

WHEREFORE, all premises considered, this Defendant respectfully requests a thirty (30) day extension within which to file its Special Report and Answer, but will use all efforts to try to comply with the Court's Order scheduled date of December 15, 2006.

Respectfully submitted,

/s/ PAUL M. JAMES, JR.
Alabama State Bar Number JAM017
Attorney for Defendants Prison Health
Services, Inc., Paul Corbier, M.D., Eugene
Lysykanycz, L.P.N., and Cheryl Webb

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been served by U.S. Mail
this the 12th day of December, 2006, to:

James K. Monroe (AIS# 167435)
Staton Correctional Facility
P. O. Box 56
Elmore, AL 36025

/s/ PAUL M. JAMES, JR. (JAM017)
Attorney for Defendants Prison Health
Services, Inc., Paul Corbier, M.D., Eugene
Lysykanycz, L.P.N., and Cheryl Webb